

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 GEORGE EARL VERKLER,

13 Defendant.
14

CASE NO. CR15-0041-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court Defendant George Verkler's motion to find Russell
18 Leonard and Michael Filipovic in contempt of court (Dkt. No. 108) and motion for a writ of
19 mandamus to the U.S. Attorney's Office (Dkt. No. 111). Mr. Verkler seeks "discovery disks"
20 related to the above-captioned matter and copies of exhibits from his *pro se* appeal in this matter
21 (Dkt. No. 61).

22 Mr. Verkler has not satisfied his burden of showing that his right to the issuance of a writ
23 is clear and undisputable. *Cheney v. U.S. Dist. Court for Dist. Of Columbia*, 542 U.S. 367, 381
24 (2004). Further, the Court is not satisfied that under the circumstances, the extraordinary remedy
25 of a writ is appropriate. *Id.*; 28 U.S.C. § 1651(a) (the Court may issue writs "necessary or
26 appropriate" to aid in their jurisdiction and "agreeable to the usages and principles of law"). The

1 Court thus DENIES Mr. Verkler's motion for a writ of mandamus (Dkt. No. 111).

2 As to Mr. Verkler's motion to find Mr. Filipovic and Mr. Leonard in contempt of court,
3 this is his third motion seeking the aforementioned discovery disks. (*See* Dkt. No. 101.) The
4 Federal Public Defender's Office has indicated willingness to work with Mr. Verkler to provide
5 him his casefile, and Defendant states he has received one of three disks he seeks. (Dkt. Nos. 98
6 at 1, 108 at 1.) The Court ORDERS Mr. Filipovic or Mr. Leonard to provide the Court with a
7 report on efforts the Federal Public Defender's Office has made to supply Mr. Verkler with a
8 copy of the disks, and any other case materials he requests, or to show cause why they cannot
9 provide the requested materials. This report shall be filed with the Court no later than **14 days**
10 from the issuance of this order.

11 The Clerk is DIRECTED to mail a copy of this order to Mr. Verkler. The Clerk is also
12 DIRECTED to mail a copy of this order and Docket Number 108 to Russell Leonard at the
13 Federal Public Defender's Office.

14 DATED this 6th day of April 2018.

15 William M. McCool
16 Clerk of Court

17 s/Tomas Hernandez
18 Deputy Clerk
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